

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF )	
SANDY RIDGE ENTERPRISES, INC., )	
WASTEWATER UTILITIES, INC., AND )	
DIAMOND STATE SUSTAINABILITY )	
CORPORATION FOR APPROVAL OF A REAL )	PSC DOCKET NO. 19-0754
ESTATE AND ASSET PURCHASE AND SALE )	
AGREEMENT FOR THE SANDY RIDGE )	
WASTEWATER SYSTEM PURSUANT TO )	
PURSUANT TO 26 <i>DEL. C.</i> § 215 )	
(FILED NOVEMBER 15, 2019) )	

**ORDER NO. 9515**

**AND NOW**, this 8<sup>th</sup> day of January 2020, the Delaware Public Service Commission (“Commission”) determines and orders the following:

**WHEREAS**, Sandy Ridge Enterprises, Inc. ("Sandy Ridge"), and Wastewater Utilities, Inc. ("Wastewater Utilities") a Delaware corporation and Delaware regulated utility, respectively, claim that they are no longer in a position to continue the operation of a wastewater system; and

**WHEREAS**, on November 15, 2019, Sandy Ridge, Wastewater Utilities and Diamond State Sustainability Corporation ("Diamond State," collectively, the "Applicants"), filed an Application (“Application”) with the Commission requesting approval to participate in a transaction whereby Diamond State will acquire owners’ assets and regulatory authorizations along with the rights to provide wastewater service to all existing customers; and

**WHEREAS**, on December 18, 2019, Diamond State filed additional required information at the requests of the Delaware Division of the Public Advocate (“DPA”) and Commission Staff (“Staff”); and

**WHEREAS**, the parcels identified in Exhibit “A” hereto (the “Proposed Service Area”) are currently located in Sandy Ridge and Wastewater's wastewater service territory; and

**WHEREAS**, it is in the public interest to have an experienced public wastewater utility assume responsibility for the Proposed Service Area currently served by Wastewater Utilities; and

**WHEREAS**, Staff submitted a memorandum noting that Applicants submitted the following additional documentation at Staff's request: (1) Sandy Ridge's Homeowner parcel list; (2) Executed memorandum of understanding between Sandy Ridge, Wastewater Utilities, and Sandy Ridge Homeowners Association; (3) the HOA Consent to the sale and transfer of the wastewater system; and (4) evidence that Diamond State had mailed to all landowners of record in the Proposed Service Area a notice regarding the Application; and

**WHEREAS**, Staff's memorandum further stated that based upon Staff's review of the Application and additional supporting documentation, Applicants have sufficiently shown that the transaction is in accordance with law, for a proper purpose, and consistent with the public interest;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE  
VOTE OF NO FEWER THAN THREE COMMISSIONERS:**

1. Pursuant to 26 *Del. C.* § 215(d), the Commission hereby approves the proposed sale and transfer of assets from Sandy Ridge and Wastewater Utilities to Diamond State Sustainability Corporation. The parcels included in the Proposed Service Area are listed in **Exhibit "A."**

2. The proposed sale and transfer is in accordance with law, for a proper purpose, and consistent with the public interest.

3. The sale and transfer of assets from Sandy Ridge and Wastewater Utilities to Diamond State shall be completed within sixty (60) days of the date of the Commission's order, including but not limited to the transfer of title to the facility's Plant/Equipment and the land, through proper deed(s) and contracts.

4. Diamond State shall provide wastewater services in accordance with the same rates, terms, and conditions currently in effect under Wastewater Utilities' tariff.

5. Diamond State shall comply with any and all federal, state, county, and local statutes, ordinances, orders, regulations, rules, and permit conditions that are applicable, or may become applicable, to any matter involving water utility services provided to the service territory.

6. The Commission reserves the jurisdiction and authority to enter such further orders in this matter as may be deemed necessary or proper.

**BY ORDER OF THE COMMISSION:**

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Chairman

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Commissioner

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Commissioner

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Commissioner

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Commissioner

ATTEST:

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Secretary

**E X H I B I T “A”**  
**APPROVED SERVICE AREA**  
**PARCELS WITHIN CERTIFICATE OF**  
**PUBLIC CONVENIENCE AND NECESSITY**

**DIAMOND STATE SUSTAINABILITY CORPORATION**  
**PSC DOCKET NO. 19-0754**

**SUSSEX COUNTY TAX MAP PARCEL NUMBERS**

332-2.00-77.03	332-2.00-115.00	332-2.00-127.00
332-2.00-183.00	332-2.00-171.00	332-2.00-159.00
332-2.00-104.00	332-2.00-116.00	332-2.00-128.00
332-2.00-182.00	332-2.00-170.00	332-2.00-158.00
332-2.00-105.00	332-2.00-117.00	332-2.00-129.00
332-2.00-181.00	332-2.00-169.00	332-2.00-157.00
332-2.00-106.00	332-2.00-118.00	332-2.00-130.00
332-2.00-180.00	332-2.00-168.00	332-2.00-155.00
332-2.00-107.00	332-2.00-119.00	332-2.00-132.00
332-2.00-179.00	332-2.00-167.00	332-2.00-154.00
332-2.00-108.00	332-2.00-120.00	332-2.00-133.00
332-2.00-178.00	332-2.00-166.00	332-2.00-152.00
332-2.00-109.00	332-2.00-121.00	332-2.00-134.00
332-2.00-177.00	332-2.00-165.00	332-2.00-135.00
332-2.00-110.00	332-2.00-122.00	332-2.00-136.00
332-2.00-176.00	332-2.00-164.00	332-2.00-144.00
332-2.00-111.00	332-2.00-123.00	332-2.00-137.00
332-2.00-175.00	332-2.00-163.00	332-2.00-148.00
332-2.00-112.00	332-2.00-124.00	332-2.00-139.00
332-2.00-174.00	332-2.00-162.00	332-2.00-140.00
332-2.00-113.00	332-2.00-125.00	332-2.00-146.00
332-2.00-173.00	332-2.00-161.00	332-2.00-145.00
332-2.00-114.00	332-2.00-126.00	332-2.00-142.00
332-2.00-172.00	332-2.00-160.00	332-2.00-143.00

332-2.00-77.05

332-2.00-184.00

332-2.00-185.00

332-2.00-186.00

332-2.00-187.00

332-2.00-188.00